



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda City Commission Regular Meeting

CITY COMMISSIONERS

Linda M. Yates, Mayor
Vanessa Carusone, Vice-Mayor
Christopher B. Hanks, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Peter Lear, Interim City Manager
Mark Moriarty, City Attorney
Patsy Adkins, City Clerk
Kathryn Peto, Deputy City Clerk

Wednesday, May 10, 2017

1:00 PM

CITY COMMISSION CHAMBERS

MEETING PROCEDURE: By submitting a "Request to Speak" card to the City Clerk, the Public may comment during the course of the meeting: (1) Comments on items not scheduled on the Agenda or Consent Agenda Items that have not been pulled for discussion will be heard under Public Comments; (2) Comments on all scheduled Agenda Items will be heard immediately following the presentation by the Staff or Petitioner. Please wait until you are recognized by the presiding Officer, state your name and address so that your comments may be properly recorded and limit your remarks to a period of three (3) minutes or less. The City Commission will act on an Agenda Item after comments from the Staff, Petitioner and Public have been heard.

Florida's Sunshine Law requires the Commission to discuss this Agenda only in open session. The Commissioners cannot discuss these items with each other before this meeting is called to order. The Commissioners, individually, can however, discuss any item with concerned citizens and staff in preparation for the meeting.

CALL TO ORDER/ROLL CALL – LINDA M. YATES, MAYOR

INVOCATION PROVIDED BY MOTHER ANDREA HAYDEN OF ST. NATHANIEL EPISCOPAL CHURCH

PLEDGE OF ALLEGIANCE – LED BY THE COMMISSION

1. APPROVAL OF AGENDA – COMMISSION

2. ANNOUNCEMENTS

A. [17-1050](#) Current Vacancies for Boards and Committees.

Attachments: [Current Vacancies for Boards and Committees](#)

B. [17-1051](#) Upcoming Expiration Dates for Boards and Committees.

Attachments: [Upcoming Expiration Dates for Board Members](#)

3. PUBLIC COMMENT:

(The purpose of the Public Comments Section of the Agenda is for members of the public to speak to the City Commission/District Governing Body on any subject not scheduled on the Agenda. The City Commission shall not act, except to direct the City Manager to take action or to schedule the matter for discussion at a later date. This comment period shall be limited to three (3) minutes to speak. If there is insufficient time to hear all speakers, the City Commission will hear those wishing to address them, and who have completed speaker cards during the second Public Comment Section.)

4. PUBLIC HEARINGS:

- A. [17-1027](#) Petition No. DMA-16-157, Cocoplum Village Shoppes Expansion (Quasi-Judicial)
- Attachments:** [DMA-16-157 City Commission Staff Report](#)
[Cocoplum Expansion Development Master Plan \(03-21-17\)](#)
[PZAB powerpoint-Cocoplum Village Shoppes DMA](#)
- B. [17-1025](#) Ordinance No. 2017-08, first reading, Petition No. REZ-17-027, New Hope Community Church rezone. New Hope Community Church of North Port requests to rezone (change the permitted use of) ± 3.7 acres from City of North Port Residential Single-Family zoning district (RSF-2) designation to Office, Professional, Institutional zoning district (OPI) designation.
- Attachments:** [Ordinance No. 2017-08](#)
[REZ-17-027, Staff Report](#)
- C. [17-1045](#) Ordinance No. 2017-09, second reading, amending Part II, Chapter 42, Article II of the City Code, repealing Article II Lot Clearing in its entirety, enacting a new Article II Lot Clearing.
- Attachments:** [Memorandum from Scott Williams.](#)
[Ordinance Lot Clearing Clean](#)
[Ordinance Lot Clearing Strikethrough](#)
[CHANGES FOR ORDINANCE NO 2017-09](#)
- D. [17-0999](#) Ordinance No. 2017-12, first reading, amending the Fiscal Year 2016-2017 Non-District Budget and Capital Improvement Program and Budget.
- Attachments:** [Ordinance No 2017-12](#)
[Ordinance 2017-12 Exhibit A](#)
[Ordinance 2017-12 Exhibit B](#)
[TRAKiT Presentation for North Port 042517](#)

- E. [17-1049](#) Resolution 2017-R-17 Supporting the Elimination of the Certificate of Need Process.

Attachments: [Resolution No 2017-R-17](#)
[Letter from Mayor Yates to Senator Steube re Elimination of CON Process](#)

5. GENERAL BUSINESS:

- A. [17-1041](#) Discussion and possible action regarding amending the City of North Port Administrative Code to repeal in its entirety Chapter 54 - Solicitation.

Attachments: [PowerPoint Presentation - Chapter 54 Solicitation PPT MM 04262017. v2](#)
[Exhibit 1 - Proposed Draft Solicitation Ordinance Based upon Punta Gorda's Or](#)
[Exhibit 2 - Alternative Draft Solicitation Ordinance Presented by the City Attorne](#)
[City Attorney's Response to the Police Depts Req for Legal Services memorand](#)
[Punta Gorda Solicitation Ordinance](#)

- B. [17-1044](#) Discussion and possible action regarding the license agreement with the Atlanta Braves for the use of the spring training facility for 3 city events and the use of the Plaza and the Multipurpose Fields for city sponsored recreational programs.

Attachments: [ANLBC-North Port Use Agreement \(ANLBC clean 4.24.17\) MM 05022017](#)
[Verbatim Draft North Port City Commission Minutes March 7, 2017](#)
[Executed LOI and Term Sheet](#)

6. CONSENT AGENDA:

(All matters under the Consent Agenda are considered by the City Commission to be routine and will be enacted by one motion. Any City Commission member may, however, remove an item from the Consent Agenda by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda, and Public input will be allowed on the withdrawn items only.)

- A. [17-1052](#) Approval of Minutes for the January 20, 2017 Convocation of Governments Meeting, March 7, 2017 Commission Regular Meeting, March 8, 2017 Commission Special Meeting, March 29, 2017 Commission Special Meeting.

Attachments: [01-20-2017 Convocation of Governments Meeting Minutes](#)
[03-07-2017 Commission Regular Meeting Minutes](#)
[03-08-2017 Commission Special Meeting Minutes](#)
[03-29-2017 Commission Special Meeting Minutes](#)
[04-10-2017 Commission Special Meeting and Executive Session Meeting Minut](#)

- B. [17-1020](#) Cash Receipts Summary - March 2017

Attachments: [Cash Receipts Summary 033117](#)

- C. [17-1009](#) Cooperative Funding Agreement No. 17CF00000449 between the Southwest Florida Water Management District (SWFWMD) and the City of North Port for "Aquifer Storage and Recovery (ASR) Permanent Facilities" (N833)".

Attachments: [Cooperative Funding Agreement No. 17CF00000449](#)

7. COMMISSION COMMUNICATIONS:

8. ADMINISTRATIVE AND LEGAL REPORTS:

9. PUBLIC COMMENT:

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10. ADJOURNMENT:

NOTICE OF AVAILABILITY OF REPORTS - The Agenda is a summary of the proposed actions to be taken by the City Commission. For almost every agenda item, the City staff has prepared materials for Commission consideration. These materials include staff reports, which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances, which are proposed for adoption. All of these materials are available at the City Clerk's Office, during normal business hours, for inspection and (for a fee) copying. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

No stenographic record by a certified court reporter is made of these recordings. Accordingly, anyone seeking to appeal any of the decisions involving the matters herein will be responsible for making a verbatim record of the meeting/testimony and evidence upon which any appeal is to be based. Copies of the recordings are available (for a fee) at the City Clerk's Office.